



Case No. 4380US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Russell G. Higuchi** ) Group Art Unit: 1743  
Serial No.: 08/968,208 )  
Filed: November 12, 1997 ) Examiner: J. Snay  
For: INSTRUMENT FOR ) Confirmation Number: 8271  
MONITORING NUCLEIC ACID )  
AMPLIFICATION )  
For hand-delivery to Examiner Snay or  
the Group receptionist on or after  
October 24, 2003

**Preliminary Amendment Under 37 CFR § 1.111**

Commissioner for Patents  
Washington, DC 20231

Sir:

Prior to examination of the above-captioned application, please enter the following amendments and consider the following remarks. Accompanying this Preliminary Amendment are:

- (1) a Request for Continued Examination;
  - (2) an Information Disclosure Statement as required under 37 CFR § 1.114 (along with its accompanying Substitute Form PTO-1449A and copies of cited references); and
  - (3) a Declaration by inventor Russel G. Higuchi under 37 CFR § 1.131 (Exhibit 1).

**Amendments to the claims**, as reflected in the Listing of Claims, begin on page 2.

**Remarks** begin on page 4.